

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

SAMUEL M. ROBERTS,

Plaintiff,

NOTICE OF MOTION

vs.

Civil No. 11 CV 6206L

LOS ALAMOS NATIONAL SECURITY, LLC, AWE,
PLC., MASSACHUSETTS INSTITUTE OF
TECHNOLOGY,

Defendants,
Third-Party Plaintiffs,

vs.

UNIVERSITY OF ROCHESTER

Third-Party Defendant.

NOTICE OF MOTION

MOTION BY: Los Alamos National Security, LLC

DATE, TIME & PLACE: A Motion Term of this Court to be held on a date and time to be set by the Court, in the United States Courthouse, 100 State Street, Rochester, NY 14614.

SUPPORTING PAPERS: Affidavit of Hans Herrmann, sworn to on October 3, 2012; the Affidavit of Beryl Nusbaum, Esq., sworn to on October 5, 2012, and the exhibits annexed hereto; and all prior pleadings and proceedings had herein.

RELIEF REQUESTED: An Order pursuant to Rule 56 of the Federal Rules of Civil Procedure and Local Rules 7 and 56 granting defendant Los Alamos National Security LLC summary judgment dismissing plaintiff's complaint; and granting Los Alamos such other and further relief as to the Court seems just and proper.

**THE MOVING PARTY
INTENDS TO SUBMIT REPLY
PAPERS.**

**ORAL ARGUMENT
IS REQUESTED.**

Dated: October 5, 2012
Rochester, New York

WOODS OVIATT GILMAN LLP

By: 

Beryl Nusbaum, Esq.

Attorneys for Defendant/Third-Party

Plaintiff Los Alamos National Security LLC

700 Crossroads Building

2 State Street

Rochester, New York 14614

585.987.2800